G. R. S. IX-5]

Previous references.

1892.

~~191~~ .

(police)

File No. 87/1892

Serial Nos. 1-4

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 164.

Part B for

SUBJECT.

Invalidity of licences after the expiry of the period for which they are issued

---

countermarked
MMS

(General Serial No. 30.)

1892. 2933.

from The Dy Commissioner Kapan

J 2.74-92

The Chief Secretary to the Dewan Govt of Mysore.

Dated 10 } September 92
Despatched 10 }
Received

Enclosures No. Ver: paper

General No. 394
No. dey.

In reply to

SUBJECT.

Submitting for orders the case of one Siddal of Kadan Madari village of the Kadiri District who was travelling with a gun without a license and seized by the Police of the Kanjanabad District

Inst. Mem 12/9/92

References (to be entered only in the Dewan's Office).

Rep & Farms abs Rules 16.992

Pl. Rule

Mem 11/10

in by the Agt
of the reasons
appears to the

Police To
8-92-

2 / 8

8 2

Mem 5-223
J.7.123-92

forwarded to the Govt
Advocate for opinion &
his opinion & remarks -
by post

T. Munuswamy
Dy Com
Chief Secy
4681

8 3

No. 162. J. 398-92

I am of opinion that the
accused & person & his property
mentioned in para 3 of his letter are concerned
I have nothing to add & return

C. Munuswamy
for Advr -

18/10/92

322/10
Mem 22/10/92
Submd
10.92

Govt accept the Govt Advocate's opinion on the facts which with the papers returned herewith will be communicated to the Superintendent of Police

Mem 16/3

No 394
V.P. file

Commissioner's office,
Hassan District
Dated Hassan 10th September 18,

From,

P. N. Purnaiya Esqre
Deputy Commissioner
and District Magistrate
Hassan.

To

The Chief Secretary to the
Government of Mysore
Bangalore

Sir,

I have the honor to report the following facts for the orders of Government.—

2— One Siddalinga of Kada Madari village, in the Kadur District was found travelling with a gun without a licence by the Police of the Manjarabad Taluk who seized the same on

Kolar

Kept it in custody. But the said Siddaliyga soon afterwards brought and produced a license obtained by him for the same. This license was granted by the District Magistrate of Kadiri for the year 1891 on 31st April 1891 and it is also Countersigned by the Under-Secretary to have effect throughout the Province. This license is again endorsed on the reverse by the same Magistrate as renewed for the year 1892. But as this endorsement had not been Countersigned by you, the omission was brought to the notice of the District Magistrate of Kadiri who returned the papers stating that there was

no

no express provision in the Rule
framed under the Stamp Act
that renewals of licenses
should also be Countersigned
by you to have effect through
out the Province. —

3 — I beg to submit that fro
Rule 16 framed under the Act an
Condition 5 of the license it
clear that licenses of the kin
will not be valid after th
expiry of the period for whic
they are issued. When once
the license shall cease to
have effect, the procedure
laid down in Rule 16 of the
Act should I think be necessa
followed, as otherwise the san
cannot be considered to hav
any effect except in the District
in which it is renewed. I beg

also

lso to refer you to Condition
V of the license which pur-
ports to the effect that unless
license is countersigned
y a Provincial authority it
hall not have effect through-
ut the Province. —

The Vernacular papers
nding with Kadiri District
agistrate's Yadi No. 1048—
Dated 15th June last. are
ubmitted for reference. —

I have the honor to be,
Sir,

Your most obedient Servant

M Runicacy

District Magistrate
Haspari District

(General Serial No. 30.)

189 3 .

From (2)

The Chief Secretary
to the Dewan of Mysore.

To

The Dy Commissioner, Hassa
& other Deputy Commissioners

Dated 22 . 3 . 1893.

Despatched

Received

Enclosures No.

General No. 16288-95
g No. 904.

Accepting the opinion of the
Govt Advocate as to the
invalidity of Licenses after
the Expiry of the period for
which they are issued -

References to be marked.

Mysore Govt. C. Press, Bangalore.—9-1-93.—3,000.

Read the following

GOVERNMENT OF MYSORE

Police
8-92-H

Letter No: 394 dated 10th September 1892, from the Dy Comr and District Magte Hassan,

(Here enter letter in full)

Letter not in the file.

2 ~~Read also~~: Offl Memorandum No: 162 of 18th Octr 92, from the Govt Advocate.

(Here enter Memorandum in full)

16288-95

J 904.

Order

Govt accept the Govt Advocate's opinion which with the letter of the Dy Comrs of Hassan will be communicated for the information and guidance of other Dy Comrs.

(To be printed in extenso)

Chief Secretary

To The Dy Comrs Hassan with copy of the letter read above

& -- other Dy Comrs.

J

Graf-Herzen

Proceedings of the Government of His Highness the Maharaja of Mysore, (Judicial),—dated 22nd March 1893.

READ THE FOLLOWING:—

Letter No. 394, dated 10th September 1892 from the Deputy Commissioner and District Magistrate, Hassan, to the Chief Secretary to the Dewan of Mysore.

I have the honor to report the following facts for the orders of Government.

2. One Siddalinga of Kadari Madari village, in the Kadur District was found travelling with a gun without a license by the Police of the Manjarabad Taluk, who seized the same and kept it in custody. But the said Siddalinga soon afterwards brought and produced a license obtained by him for the same. This license was granted by the District Magistrate of Kadur for the year 1891 on 31st April 1891 and it is also countersigned by the Under-Secretary to have effect throughout the Province. This license is again endorsed on the reverse by the same Magistrate as renewed for the year 1892. But as this endorsement had not been countersigned by you, the omission was brought to the notice of the District Magistrate of Kadur who returned the papers stating that there was no express provision in the Rules framed under the Arms Act that renewals of licenses should also be countersigned by you to have effect throughout the Province.

3. I beg to submit that from Rule 16 framed under the Act and condition 3 of the license it is clear that, that licenses of the kind will not be valid after the expiry of the period for which they are issued. When once the license shall cease to have effect, the procedure laid down in Rule 16 of the Act should I think be necessarily followed, as otherwise the same cannot be considered to have any effect except in the District in which it is renewed. I beg also to refer you to condition IV of the license which purports to the effect that unless a license is countersigned by a Provincial authority it shall not have effect throughout the Province.

4. The vernacular papers ending with Kadur District Magistrate's Yadi No. 1048, dated 15th June last are submitted for reference.

Official Memorandum, No. 162, dated 18th October 1892, from the Government Advocate in Mysore.

I am of opinion that the views expressed by the Deputy Commissioner in para 3 of his letter are correct. I have nothing to add to them.

No. 1628S-95—J. 904, DATED, BANGALORE, 22ND MARCH 1893.

ORDER THEREON.—Government accept the Government Advocate's opinion which with the letter of the Deputy Commissioner of Hassan will be communicated for the information and guidance of other Deputy Commissioners.

(Sd.) S. Sitaramiah Row.
Chief Secretary.

JUDICIAL.

PROCEEDINGS.

Dated 22nd March 1893.

No. 16288-95,
J. 904.

Accepting Government Advocate's op
nion that licenses for guns under the Arn
Regulation, become invalid after the expi
of the period for which they are issued ar
directing that this decision be communicate
for the information and guidance of a
Deputy Commissioners.

Mysore Govt. C. Press, Bangalore.—11-4-93.—12